

OPINION 2354 (Case 3518)***Cornu* Born, 1778 (Mollusca, Gastropoda, Pulmonata, HELICIDAE):
request for a ruling on the availability of the generic name granted**

Abstract. The Commission has ruled under Articles 78.2.3 and 80.2.1 that the wording of Article 1.3.2 be interpreted to confirm the availability of *Cornu* Born, 1778 for a genus of land snails (family HELICIDAE), that was based on a teratological specimen of *Helix aspersa* Müller, 1774.

Keywords. Nomenclature; taxonomy; Mollusca; Gastropoda; Pulmonata; HELICIDAE; *Helix*; *Cantareus*; *Cornu*; *Cryptomphalus*; *Cornu copiae*; *Helix aperta*; *Helix aspersa*; brown garden snail; Europe.

Ruling

- (1) The International Commission on Zoological Nomenclature has ruled, as a result of its interpretation of Article 1.3.2 of the Code, that the name *copiae* Born, 1778, as published in the binomen *Cornu copiae*, is not unavailable by reason of being based on a teratological specimen, as it was not explicitly described as such.
- (2) The name *Cornu* Born, 1778 (gender: neuter), type species by monotypy *Cornu copiae* Born, 1778, is hereby placed on the Official List of Generic Names in Zoology, with the endorsement that it is based on an available type species, as ruled in (1) above.
- (3) The entry on the Official List of Specific Names in Zoology for the name *aspersa* Müller, 1774, as published in the binomen *Helix aspersa*, is hereby amended to record that this is the valid name of the type species of *Cornu* Born, 1778 (a senior subjective synonym of *copiae* Born, 1778, as published in the binomen *Cornu copiae*).

History of Case 3518

An application to suggest a possible interpretation of Article 1.3.2 in relation to the availability of the generic name *Cornu* Born, 1778 for a genus of land snails (family HELICIDAE) was received from Robert H. Cowie (*Center for Conservation Research and Training, Pacific Biosciences Research Center, University of Hawaii, Honolulu, Hawaii, U.S.A.*) on 25 February 2010. After correspondence the case was published in BZN **68**: 97–104 (June 2011). The title, abstract and keywords of the case were published on the Commission's website. Comments on this case were published in BZN **68**: 282–292; **69**:124–127, 219–221, 279 and **70**: 41.

Decision of the Commission

On 5 June 2014 the members of the Commission were invited to vote on the proposals published in BZN **69**: 90. At the close of the voting period on 5 September 2014 the votes were as follows:

Affirmative votes – 18: Alonso-Zarazaga, Ballerio, Bogutskaya, Brothers, Fautin, Halliday, Kottelat, Krell, Kullander, Ng, Pape, Patterson, Rosenberg, van Tol, Winston, Yanega, Zhang and Zhou.

Negative votes – 3: Bouchet, Harvey and Kojima.

Split votes – 2: Grygier: For (1) and (2), Against (3); Lamas For (1) and (2), Against (3).

Pyle and Štys were on leave of absence.

Voting FOR, Brothers said that since there was no clear direct evidence in Born's original publication that he was deliberately naming a particular teratological form/specimen (as differentiated from his naming of other genera/species), there cannot be any grounds for considering the name unavailable. Voting AGAINST, Bouchet said that although he accepted Cowie's demonstration that the name *Cornu copiae* was not established for a teratological specimen 'as such' in Code parlance, he could not avoid thinking that we should probably not expect O.F. Müller in the 18th century to have embraced 20th or 21st century concepts or written with 20th or 21st century vocabulary. For more than 200 years, the name *Cornu copiae* had been treated in the literature as denoting a teratological specimen, and Walden's (1976) resurrection of the name, although technically nomenclaturally acceptable, is certainly not in line with the purpose of the 'Principle of Priority' to promote stability. Walden's action has been a source of such instability that Cowie's application became necessary. By voting AGAINST the placement of *Cornu* Born, 1778, on the Official List, Bouchet believed he followed the spirit of the Code if not its letter. Kojima, who voted AGAINST, said the Commission could have voted on a different proposal, i.e., to use its plenary power to suppress the name *Cornu* Born, 1778 based on the fact that its type species, *Cornu copiae* Born, 1778 was described based on an aberrant or teratological specimen and it was not clear whether Born (1778) treated the type specimen of *Cornu copiae* Born, 1778 as an aberrant or normal individual. SPLITTING his vote, Grygier said that the final comment by Welter-Schultes et al. (BZN 70: 41) included an alternative proposal to place *Cornu* on the Official Index, which was not presented to the Commissioners in the Voting Paper for the Case. Although this proposal was not accompanied by a request for any additional ruling of substance, the Commission is fully empowered to place names on the Official Lists and Indexes without any additional qualification (Article 80.6.4). Grygier agreed with the same Comment that declaring *aspersa* to be the valid name for *copiae* on the Official List would be premature, and thus voted against proposal (3). This opinion was shared by Lamas, who also SPLIT his vote.

Original references

The following are the original references to the names placed on the Official Lists by the ruling given in the present Opinion:

aspersa, Helix, Müller, 1774, *Vermium terrestrium et fluviatilium, seu Animalium infusoriorum, helminthicorum, et testaceorum, non marinorum, succincta historia. volumen alterum.* Heineck & Faber, Havniae & Lipsiae, p. 59.

Cornu, Born, 1778, *Index rerum naturalium Musei Caesarei Vindobonensis. Pars Ima Testacea. Verzeichniß der natürlichen Seltenheitendesk. k. Naturalien Cabinets zu Wien. Erster Theil. Schalthiere.* xlii, 458, [82] pp., 1 pl. J.P. Kraus, Vindobonae, p. 371.